

1 AN ACT concerning education.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The School Code is amended by changing  
5 Sections 2-3.64, 10-17a, 14C-4, and 18-8.05 and adding  
6 Sections 10-21.3a and 34-18.23 as follows:

7 (105 ILCS 5/2-3.64) (from Ch. 122, par. 2-3.64)

8 Sec. 2-3.64. State goals and assessment.

9 (a) Beginning in the 1998-1999 school year, the State  
10 Board of Education shall establish standards and  
11 periodically, in collaboration with local school districts,  
12 conduct studies of student performance in the learning areas  
13 of fine arts and physical development/health. Beginning with  
14 the 1998-1999 school year, the State Board of Education shall  
15 annually test: (i) all pupils enrolled in the 3rd, 5th, and  
16 8th grades in English language arts (reading, writing, and  
17 English grammar) and mathematics; and (ii) all pupils  
18 enrolled in the 4th and 7th grades in the biological and  
19 physical sciences and the social sciences (history,  
20 geography, civics, economics, and government). The State  
21 Board of Education shall establish the academic standards  
22 that are to be applicable to pupils who are subject to State  
23 tests under this Section beginning with the 1998-1999 school  
24 year. However, the State Board of Education shall not  
25 establish any such standards in final form without first  
26 providing opportunities for public participation and local  
27 input in the development of the final academic standards.  
28 Those opportunities shall include a well-publicized period of  
29 public comment, public hearings throughout the State, and  
30 opportunities to file written comments. Beginning with the  
31 1998-99 school year and thereafter, the State tests will

1 identify pupils in the 3rd grade or 5th grade who do not meet  
2 the State standards. If, by performance on the State tests  
3 or local assessments or by teacher judgment, a student's  
4 performance is determined to be 2 or more grades below  
5 current placement, the student shall be provided a  
6 remediation program developed by the district in consultation  
7 with a parent or guardian. Such remediation programs may  
8 include, but shall not be limited to, increased or  
9 concentrated instructional time, a remedial summer school  
10 program of not less than 90 hours, improved instructional  
11 approaches, tutorial sessions, retention in grade, and  
12 modifications to instructional materials. Each pupil for  
13 whom a remediation program is developed under this subsection  
14 shall be required to enroll in and attend whatever program  
15 the district determines is appropriate for the pupil.  
16 Districts may combine students in remediation programs where  
17 appropriate and may cooperate with other districts in the  
18 design and delivery of those programs. The parent or  
19 guardian of a student required to attend a remediation  
20 program under this Section shall be given written notice of  
21 that requirement by the school district a reasonable time  
22 prior to commencement of the remediation program that the  
23 student is to attend. The State shall be responsible for  
24 providing school districts with the new and additional  
25 funding, under Section 2-3.51.5 or by other or additional  
26 means, that is required to enable the districts to operate  
27 remediation programs for the pupils who are required to  
28 enroll in and attend those programs under this Section.  
29 Every individualized educational program as described in  
30 Article 14 shall identify if the State test or components  
31 thereof are appropriate for that student. For those pupils  
32 for whom the State tests or components thereof are not  
33 appropriate, the State Board of Education shall develop rules  
34 and regulations governing the administration of alternative

1 tests prescribed within each student's individualized  
2 educational program which are appropriate to the disability  
3 of each student. All pupils who are in a State approved  
4 transitional bilingual education program or transitional  
5 program of instruction shall participate in the State tests.  
6 Any student who has been enrolled in a State approved  
7 bilingual education program less than 3 academic years shall  
8 be exempted if the student's lack of English as determined by  
9 an English language proficiency test would keep the student  
10 from understanding the test, and that student's district  
11 shall have an alternative test program in place for that  
12 student. The State Board of Education shall appoint a task  
13 force of concerned parents, teachers, school administrators  
14 and other professionals to assist in identifying such  
15 alternative tests. Reasonable accommodations as prescribed  
16 by the State Board of Education shall be provided for  
17 individual students in the testing procedure. All test  
18 procedures prescribed by the State Board of Education shall  
19 require: (i) that each test used for State and local student  
20 testing under this Section identify by name the pupil taking  
21 the test; (ii) that the name of the pupil taking the test be  
22 placed on the test at the time the test is taken; (iii) that  
23 the results or scores of each test taken under this Section  
24 by a pupil of the school district be reported to that  
25 district and identify by name the pupil who received the  
26 reported results or scores; and (iv) that the results or  
27 scores of each test taken under this Section be made  
28 available to the parents of the pupil. In addition,  
29 beginning with the 2000-2001 school year and in each school  
30 year thereafter, the highest scores and performance levels  
31 attained by a student on the Prairie State Achievement  
32 Examination administered under subsection (c) of this Section  
33 shall become part of the student's permanent record and shall  
34 be entered on the student's transcript pursuant to

1 regulations that the State Board of Education shall  
2 promulgate for that purpose in accordance with Section 3 and  
3 subsection (e) of Section 2 of the Illinois School Student  
4 Records Act. Beginning with the 1998-1999 school year and in  
5 every school year thereafter, scores received by students on  
6 the State assessment tests administered in grades 3 through 8  
7 shall be placed into students' temporary records. The State  
8 Board of Education shall establish a common month in each  
9 school year for which State testing shall occur to meet the  
10 objectives of this Section. However, if the schools of a  
11 district are closed and classes are not scheduled during any  
12 week that is established by the State Board of Education as  
13 the week of the month when State testing under this Section  
14 shall occur, the school district may administer the required  
15 State testing at any time up to 2 weeks following the week  
16 established by the State Board of Education for the testing,  
17 so long as the school district gives the State Board of  
18 Education written notice of its intention to deviate from the  
19 established schedule by December 1 of the school year in  
20 which falls the week established by the State Board of  
21 Education for the testing. The maximum time allowed for all  
22 actual testing required under this subsection during the  
23 school year shall not exceed 25 hours as allocated among the  
24 required tests by the State Board of Education.

25 (a-5) All tests administered pursuant to this Section  
26 shall be academically based. For the purposes of this  
27 Section "academically based tests" shall mean tests  
28 consisting of questions and answers that are measurable and  
29 quantifiable to measure the knowledge, skill, and ability of  
30 students in the subject matters covered by tests. The  
31 scoring of academically based tests shall be reliable, valid,  
32 unbiased and shall meet the guidelines for test development  
33 and use prescribed by the American Psychological Association,  
34 the National Council of Measurement and Evaluation, and the

1 American Educational Research Association. Academically based  
2 tests shall not include assessments or evaluations of  
3 attitudes, values, or beliefs, or testing of personality,  
4 self-esteem, or self-concept. Nothing in this amendatory Act  
5 is intended, nor shall it be construed, to nullify,  
6 supersede, or contradict the legislative intent on academic  
7 testing expressed during the passage of HB 1005/P.A. 90-296.

8 Beginning in the 1998-1999 school year, the State Board  
9 of Education may, on a pilot basis, include in the State  
10 assessments in reading and math at each grade level tested no  
11 more than 2 short answer questions, where students have to  
12 respond in brief to questions or prompts or show  
13 computations, rather than select from alternatives that are  
14 presented. In the first year that such questions are used,  
15 scores on the short answer questions shall not be reported on  
16 an individual student basis but shall be aggregated for each  
17 school building in which the tests are given. State-level,  
18 school, and district scores shall be reported both with and  
19 without the results of the short answer questions so that the  
20 effect of short answer questions is clearly discernible.  
21 Beginning in the second year of this pilot program, scores on  
22 the short answer questions shall be reported both on an  
23 individual student basis and on a school building basis in  
24 order to monitor the effects of teacher training and  
25 curriculum improvements on score results.

26 The State Board of Education shall not continue the use  
27 of short answer questions in the math and reading  
28 assessments, or extend the use of such questions to other  
29 State assessments, unless this pilot project demonstrates  
30 that the use of short answer questions results in a  
31 statistically significant improvement in student achievement  
32 as measured on the State assessments for math and reading and  
33 is justifiable in terms of cost and student performance.

34 (b) It shall be the policy of the State to encourage

1 school districts to continuously test pupil proficiency in  
2 the fundamental learning areas in order to: (i) provide  
3 timely information on individual students' performance  
4 relative to State standards that is adequate to guide  
5 instructional strategies; (ii) improve future instruction;  
6 and (iii) complement the information provided by the State  
7 testing system described in this Section. Each district's  
8 school improvement plan must address specific activities the  
9 district intends to implement to assist pupils who by teacher  
10 judgment and test results as prescribed in subsection (a) of  
11 this Section demonstrate that they are not meeting State  
12 standards or local objectives. Such activities may include,  
13 but shall not be limited to, summer school, extended school  
14 day, special homework, tutorial sessions, modified  
15 instructional materials, other modifications in the  
16 instructional program, reduced class size or retention in  
17 grade. To assist school districts in testing pupil  
18 proficiency in reading in the primary grades, the State Board  
19 shall make optional reading inventories for diagnostic  
20 purposes available to each school district that requests such  
21 assistance. Districts that administer the reading  
22 inventories may develop remediation programs for students who  
23 perform in the bottom half of the student population. Those  
24 remediation programs may be funded by moneys provided under  
25 the School Safety and Educational Improvement Block Grant  
26 Program established under Section 2-3.51.5. Nothing in this  
27 Section shall prevent school districts from implementing  
28 testing and remediation policies for grades not required  
29 under this Section.

30 (c) Beginning with the 2000-2001 school year, each  
31 school district that operates a high school program for  
32 students in grades 9 through 12 shall annually administer the  
33 Prairie State Achievement Examination established under this  
34 subsection to its students as set forth below. The Prairie

1 State Achievement Examination shall be developed by the State  
2 Board of Education to measure student performance in the  
3 academic areas of reading, writing, mathematics, science, and  
4 social sciences. The State Board of Education shall  
5 establish the academic standards that are to apply in  
6 measuring student performance on the Prairie State  
7 Achievement Examination including the minimum examination  
8 score in each area that will qualify a student to receive a  
9 Prairie State Achievement Award from the State in recognition  
10 of the student's excellent performance. Each school district  
11 that is subject to the requirements of this subsection (c)  
12 shall afford all students 2 opportunities to take the Prairie  
13 State Achievement Examination beginning as late as practical  
14 during the second semester of grade 11, but in no event  
15 before March 1. The State Board of Education shall annually  
16 notify districts of the weeks during which these test  
17 administrations shall be required to occur. Every  
18 individualized educational program as described in Article 14  
19 shall identify if the Prairie State Achievement Examination  
20 or components thereof are appropriate for that student. Each  
21 student, exclusive of a student whose individualized  
22 educational program developed under Article 14 identifies the  
23 Prairie State Achievement Examination as inappropriate for  
24 the student, shall be required to take the examination in  
25 grade 11. For each academic area the State Board of  
26 Education shall establish the score that qualifies for the  
27 Prairie State Achievement Award on that portion of the  
28 examination. Any student who fails to earn a qualifying  
29 score for a Prairie State Achievement Award in any one or  
30 more of the academic areas on the initial test administration  
31 or who wishes to improve his or her score on any portion of  
32 the examination shall be permitted to retake such portion or  
33 portions of the examination during grade 12. Districts shall  
34 inform their students of the timelines and procedures

1 applicable to their participation in every yearly  
2 administration of the Prairie State Achievement Examination.  
3 Students receiving special education services whose  
4 individualized educational programs identify the Prairie  
5 State Achievement Examination as inappropriate for them  
6 nevertheless shall have the option of taking the examination,  
7 which shall be administered to those students in accordance  
8 with standards adopted by the State Board of Education to  
9 accommodate the respective disabilities of those students. A  
10 student who successfully completes all other applicable high  
11 school graduation requirements but fails to receive a score  
12 on the Prairie State Achievement Examination that qualifies  
13 the student for receipt of a Prairie State Achievement Award  
14 shall nevertheless qualify for the receipt of a regular high  
15 school diploma.

16 (d) Beginning with the 2002-2003 school year, all  
17 schools in this State that are part of the sample drawn by  
18 the National Center for Education Statistics, in  
19 collaboration with their school districts and the State Board  
20 of Education, shall administer the biennial State academic  
21 assessments of 4th and 8th grade reading and mathematics  
22 under the National Assessment of Educational Progress carried  
23 out under Section 411(b)(2) of the National Education  
24 Statistics Act of 1994 (20 U.S.C. 9010) if the Secretary of  
25 Education pays the costs of administering the assessments.

26 (Source: P.A. 90-566, eff. 1-2-98; 90-789, eff. 8-14-98;  
27 91-283, eff. 7-29-99.)

28 (105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

29 Sec. 10-17a. Better schools accountability.

30 (1) Policy and Purpose. It shall be the policy of the  
31 State of Illinois that each school district in this State,  
32 including special charter districts and districts subject to  
33 the provisions of Article 34, shall submit to parents,

1 taxpayers of such district, the Governor, the General  
2 Assembly, and the State Board of Education a school report  
3 card assessing the performance of its schools and students.  
4 The report card shall be an index of school performance  
5 measured against statewide and local standards and will  
6 provide information to make prior year comparisons and to set  
7 future year targets through the school improvement plan.

8 (2) Reporting Requirements. Each school district shall  
9 prepare a report card in accordance with the guidelines set  
10 forth in this Section which describes the performance of its  
11 students by school attendance centers and by district and the  
12 district's use of financial resources. Such report card  
13 shall be presented at a regular school board meeting subject  
14 to applicable notice requirements, posted on the school  
15 district's Internet web site, if the district maintains an  
16 Internet web site, and--such--report--cards--shall--be made  
17 available to a newspaper of general circulation serving the  
18 district, and, upon request, shall-be sent home to a parent  
19 (unless the district does not maintain an Internet web site,  
20 in which case the report card shall be sent home to parents  
21 without request) parents. If the district posts the report  
22 card on its Internet web site, the district shall send a  
23 written notice home to parents stating (i) that the report  
24 card is available on the web site, (ii) the address of the  
25 web site, (iii) that a printed copy of the report card will  
26 be sent to parents upon request, and (iv) the telephone  
27 number that parents may call to request a printed copy of the  
28 report card. In addition, each school district shall submit  
29 the completed report card to the office of the district's  
30 Regional Superintendent which shall make copies available to  
31 any individuals requesting them.

32 The report card shall be completed and disseminated prior  
33 to October 31 in each school year. The report card shall  
34 contain, but not be limited to, actual local school

1 attendance center, school district and statewide data  
2 indicating the present performance of the school, the State  
3 norms and the areas for planned improvement for the school  
4 and school district.

5 (3) (a) The report card shall include the following  
6 applicable indicators of attendance center, district, and  
7 statewide student performance: percent of students who  
8 exceed, meet, or do not meet standards established by the  
9 State Board of Education pursuant to Section 2-3.25a;  
10 composite and subtest means on nationally normed achievement  
11 tests for college bound students; student attendance rates;  
12 chronic truancy rate; dropout rate; graduation rate; and  
13 student mobility, turnover shown as a percent of transfers  
14 out and a percent of transfers in.

15 (b) The report card shall include the following  
16 descriptions for the school, district, and State: average  
17 class size; amount of time per day devoted to mathematics,  
18 science, English and social science at primary, middle and  
19 junior high school grade levels; number of students taking  
20 the Prairie State Achievement Examination under subsection  
21 (c) of Section 2-3.64, the number of those students who  
22 received a score of excellent, and the average score by  
23 school of students taking the examination; pupil-teacher  
24 ratio; pupil-administrator ratio; operating expenditure per  
25 pupil; district expenditure by fund; average administrator  
26 salary; and average teacher salary.

27 (c) The report card shall include applicable indicators  
28 of parental involvement in each attendance center. The  
29 parental involvement component of the report card shall  
30 include the percentage of students whose parents or guardians  
31 have had one or more personal contacts with the students'  
32 teachers during the school year concerning the students'  
33 education, and such other information, commentary, and  
34 suggestions as the school district desires. For the purposes

1 of this paragraph, "personal contact" includes, but is not  
 2 limited to, parent-teacher conferences, parental visits to  
 3 school, school visits to home, telephone conversations, and  
 4 written correspondence. The parental involvement component  
 5 shall not single out or identify individual students,  
 6 parents, or guardians by name.

7 (d) The report card form shall be prepared by the State  
 8 Board of Education and provided to school districts by the  
 9 most efficient, economic, and appropriate means.

10 (Source: P.A. 89-610, eff. 8-6-96.)

11 (105 ILCS 5/10-21.3a new)

12 Sec. 10-21.3a. Transfer of students. Each school board  
 13 shall establish and implement a policy governing the transfer  
 14 of a student from one attendance center to another within the  
 15 school district upon the request of the student's parent or  
 16 guardian. Any request by a parent or guardian to transfer his  
 17 or her child from one attendance center to another within the  
 18 school district pursuant to Section 1116 of the federal  
 19 Elementary and Secondary Education Act of 1965 (20 U.S.C.  
 20 Sec. 6317) must be made no later than 30 days after the  
 21 parent or guardian receives notice of the right to transfer  
 22 pursuant to that law. A student may not transfer to any of  
 23 the following attendance centers, except by change in  
 24 residence if the policy authorizes enrollment based on  
 25 residence in an attendance area or unless approved by the  
 26 board on an individual basis:

27 (1) An attendance center that exceeds or as a  
 28 result of the transfer would exceed its attendance  
 29 capacity.

30 (2) An attendance center for which the board has  
 31 established academic criteria for enrollment if the  
 32 student does not meet the criteria, provided that the  
 33 transfer must be permitted if the attendance center is

1 the only attendance center serving the student's grade  
 2 that has not been identified for school improvement,  
 3 corrective action, or restructuring under Section 1116 of  
 4 the federal Elementary and Secondary Education Act of  
 5 1965 (20 U.S.C. Sec. 6317).

6 (3) Any attendance center if the transfer would  
 7 prevent the school district from meeting its obligations  
 8 under a State or federal law, court order, or consent  
 9 decree applicable to the school district.

10 (105 ILCS 5/14C-4) (from Ch. 122, par. 14C-4)  
 11 Sec. 14C-4. Notice of enrollment; content; rights of  
 12 parents.

13 No later than 30 ~~10~~ days after the beginning of the  
 14 school year or 14 days after the enrollment of any child in a  
 15 program in transitional bilingual education during the middle  
 16 of a school year, the school district in which the child  
 17 resides shall notify by mail the parents or legal guardian of  
 18 the child of the fact that their child has been enrolled in a  
 19 program in transitional bilingual education. The notice shall  
 20 contain all of the following information in a simple,  
 21 nontechnical language:

22 (1) The reasons why the child has been placed in  
 23 and needs the services of the program.

24 (2) The child's level of English proficiency, how  
 25 this level was assessed, and the child's current level of  
 26 academic achievement.

27 (3) description--of The purposes, method of  
 28 instruction used in the program and in other available  
 29 offerings of the district, including how the program  
 30 differs from those other offerings in content,  
 31 instructional goals, and the use of English and native  
 32 language instruction.

33 (4) How the program will meet the educational

1 strengths and needs of the child.

2 (5) How the program will specifically help the  
3 child to learn English and to meet academic achievement  
4 standards for grade promotion and graduation.

5 (6) The specific exit requirements for the program,  
6 the expected rate of transition from the program into the  
7 regular curriculum, and the expected graduation rate for  
8 children in the program if the program is offered at the  
9 secondary level.

10 (7) How the program meets the objectives of the  
11 child's individual educational program (IEP), if  
12 applicable.

13 (8) The right of the parents to decline to enroll  
14 the child in the program or to choose another program or  
15 method of instruction, if available.

16 (9) The right of the parents to have the child  
17 immediately removed from the program upon request.

18 ~~(10) and-content-of-the-program-in-which-the--child~~  
19 ~~is--enrolled--and-shall-inform-the-parents-that-they-have~~  
20 The right of the parents to visit transitional bilingual  
21 education classes in which their child is enrolled and to  
22 come to the school for a conference to explain the nature  
23 of transitional bilingual education. ~~Said-notice-shall~~  
24 ~~further-inform-the-parents-that-they--have--the--absolute~~  
25 ~~right,-if--they--so-wish,-to-withdraw-their-child-from-a~~  
26 ~~program-in-transitional-bilingual-education-in-the-manner~~  
27 ~~as-hereinafter-provided.~~

28 The notice shall be in writing in English and in the  
29 language of which the child of the parents so notified  
30 possesses a primary speaking ability.

31 Any parent whose child has been enrolled in a program in  
32 transitional bilingual education shall have the absolute  
33 right, ~~either-at-the-time-of--the--original--notification--of~~  
34 ~~enrollment--or--at--the--close-of-any-semester-thereafter,~~ to

1 immediately withdraw his child from said program by providing  
2 written notice of such desire to the school authorities of  
3 the school in which his child is enrolled or to the school  
4 district in which his child resides;--provided--that--no  
5 withdrawal--shall--be--permitted--unless--such--parent--is--informed  
6 in--a--conference--with--school--district--officials--of--the--nature  
7 of--the--program.

8 (Source: P.A. 78-727.)

9 (105 ILCS 5/18-8.05)

10 Sec. 18-8.05. Basis for apportionment of general State  
11 financial aid and supplemental general State aid to the  
12 common schools for the 1998-1999 and subsequent school years.

13 (A) General Provisions.

14 (1) The provisions of this Section apply to the  
15 1998-1999 and subsequent school years. The system of general  
16 State financial aid provided for in this Section is designed  
17 to assure that, through a combination of State financial aid  
18 and required local resources, the financial support provided  
19 each pupil in Average Daily Attendance equals or exceeds a  
20 prescribed per pupil Foundation Level. This formula approach  
21 imputes a level of per pupil Available Local Resources and  
22 provides for the basis to calculate a per pupil level of  
23 general State financial aid that, when added to Available  
24 Local Resources, equals or exceeds the Foundation Level. The  
25 amount of per pupil general State financial aid for school  
26 districts, in general, varies in inverse relation to  
27 Available Local Resources. Per pupil amounts are based upon  
28 each school district's Average Daily Attendance as that term  
29 is defined in this Section.

30 (2) In addition to general State financial aid, school  
31 districts with specified levels or concentrations of pupils  
32 from low income households are eligible to receive  
33 supplemental general State financial aid grants as provided

1 pursuant to subsection (H). The supplemental State aid grants  
2 provided for school districts under subsection (H) shall be  
3 appropriated for distribution to school districts as part of  
4 the same line item in which the general State financial aid  
5 of school districts is appropriated under this Section.

6 (3) To receive financial assistance under this Section,  
7 school districts are required to file claims with the State  
8 Board of Education, subject to the following requirements:

9 (a) Any school district which fails for any given  
10 school year to maintain school as required by law, or to  
11 maintain a recognized school is not eligible to file for  
12 such school year any claim upon the Common School Fund.  
13 In case of nonrecognition of one or more attendance  
14 centers in a school district otherwise operating  
15 recognized schools, the claim of the district shall be  
16 reduced in the proportion which the Average Daily  
17 Attendance in the attendance center or centers bear to  
18 the Average Daily Attendance in the school district. A  
19 "recognized school" means any public school which meets  
20 the standards as established for recognition by the State  
21 Board of Education. A school district or attendance  
22 center not having recognition status at the end of a  
23 school term is entitled to receive State aid payments due  
24 upon a legal claim which was filed while it was  
25 recognized.

26 (b) School district claims filed under this Section  
27 are subject to Sections 18-9, 18-10, and 18-12, except as  
28 otherwise provided in this Section.

29 (c) If a school district operates a full year  
30 school under Section 10-19.1, the general State aid to  
31 the school district shall be determined by the State  
32 Board of Education in accordance with this Section as  
33 near as may be applicable.

34 (d) (Blank).

1           (4) Except as provided in subsections (H) and (L), the  
2 board of any district receiving any of the grants provided  
3 for in this Section may apply those funds to any fund so  
4 received for which that board is authorized to make  
5 expenditures by law.

6           School districts are not required to exert a minimum  
7 Operating Tax Rate in order to qualify for assistance under  
8 this Section.

9           (5) As used in this Section the following terms, when  
10 capitalized, shall have the meaning ascribed herein:

11           (a) "Average Daily Attendance": A count of pupil  
12 attendance in school, averaged as provided for in  
13 subsection (C) and utilized in deriving per pupil  
14 financial support levels.

15           (b) "Available Local Resources": A computation of  
16 local financial support, calculated on the basis of  
17 Average Daily Attendance and derived as provided pursuant  
18 to subsection (D).

19           (c) "Corporate Personal Property Replacement  
20 Taxes": Funds paid to local school districts pursuant to  
21 "An Act in relation to the abolition of ad valorem  
22 personal property tax and the replacement of revenues  
23 lost thereby, and amending and repealing certain Acts and  
24 parts of Acts in connection therewith", certified August  
25 14, 1979, as amended (Public Act 81-1st S.S.-1).

26           (d) "Foundation Level": A prescribed level of per  
27 pupil financial support as provided for in subsection  
28 (B).

29           (e) "Operating Tax Rate": All school district  
30 property taxes extended for all purposes, except Bond and  
31 Interest, Summer School, Rent, Capital Improvement, and  
32 Vocational Education Building purposes.

33 (B) Foundation Level.

34 (1) The Foundation Level is a figure established by the

1 State representing the minimum level of per pupil financial  
2 support that should be available to provide for the basic  
3 education of each pupil in Average Daily Attendance. As set  
4 forth in this Section, each school district is assumed to  
5 exert a sufficient local taxing effort such that, in  
6 combination with the aggregate of general State financial aid  
7 provided the district, an aggregate of State and local  
8 resources are available to meet the basic education needs of  
9 pupils in the district.

10 (2) For the 1998-1999 school year, the Foundation Level  
11 of support is \$4,225. For the 1999-2000 school year, the  
12 Foundation Level of support is \$4,325. For the 2000-2001  
13 school year, the Foundation Level of support is \$4,425.

14 (3) For the 2001-2002 school year and each school year  
15 thereafter, the Foundation Level of support is \$4,560 or such  
16 greater amount as may be established by law by the General  
17 Assembly.

18 (C) Average Daily Attendance.

19 (1) For purposes of calculating general State aid  
20 pursuant to subsection (E), an Average Daily Attendance  
21 figure shall be utilized. The Average Daily Attendance  
22 figure for formula calculation purposes shall be the monthly  
23 average of the actual number of pupils in attendance of each  
24 school district, as further averaged for the best 3 months of  
25 pupil attendance for each school district. In compiling the  
26 figures for the number of pupils in attendance, school  
27 districts and the State Board of Education shall, for  
28 purposes of general State aid funding, conform attendance  
29 figures to the requirements of subsection (F).

30 (2) The Average Daily Attendance figures utilized in  
31 subsection (E) shall be the requisite attendance data for the  
32 school year immediately preceding the school year for which  
33 general State aid is being calculated or the average of the  
34 attendance data for the 3 preceding school years, whichever

1 is greater. The Average Daily Attendance figures utilized in  
2 subsection (H) shall be the requisite attendance data for the  
3 school year immediately preceding the school year for which  
4 general State aid is being calculated.

5 (D) Available Local Resources.

6 (1) For purposes of calculating general State aid  
7 pursuant to subsection (E), a representation of Available  
8 Local Resources per pupil, as that term is defined and  
9 determined in this subsection, shall be utilized. Available  
10 Local Resources per pupil shall include a calculated dollar  
11 amount representing local school district revenues from local  
12 property taxes and from Corporate Personal Property  
13 Replacement Taxes, expressed on the basis of pupils in  
14 Average Daily Attendance.

15 (2) In determining a school district's revenue from  
16 local property taxes, the State Board of Education shall  
17 utilize the equalized assessed valuation of all taxable  
18 property of each school district as of September 30 of the  
19 previous year. The equalized assessed valuation utilized  
20 shall be obtained and determined as provided in subsection  
21 (G).

22 (3) For school districts maintaining grades kindergarten  
23 through 12, local property tax revenues per pupil shall be  
24 calculated as the product of the applicable equalized  
25 assessed valuation for the district multiplied by 3.00%, and  
26 divided by the district's Average Daily Attendance figure.  
27 For school districts maintaining grades kindergarten through  
28 8, local property tax revenues per pupil shall be calculated  
29 as the product of the applicable equalized assessed valuation  
30 for the district multiplied by 2.30%, and divided by the  
31 district's Average Daily Attendance figure. For school  
32 districts maintaining grades 9 through 12, local property tax  
33 revenues per pupil shall be the applicable equalized assessed  
34 valuation of the district multiplied by 1.05%, and divided by

1 the district's Average Daily Attendance figure.

2 (4) The Corporate Personal Property Replacement Taxes  
3 paid to each school district during the calendar year 2 years  
4 before the calendar year in which a school year begins,  
5 divided by the Average Daily Attendance figure for that  
6 district, shall be added to the local property tax revenues  
7 per pupil as derived by the application of the immediately  
8 preceding paragraph (3). The sum of these per pupil figures  
9 for each school district shall constitute Available Local  
10 Resources as that term is utilized in subsection (E) in the  
11 calculation of general State aid.

12 (E) Computation of General State Aid.

13 (1) For each school year, the amount of general State  
14 aid allotted to a school district shall be computed by the  
15 State Board of Education as provided in this subsection.

16 (2) For any school district for which Available Local  
17 Resources per pupil is less than the product of 0.93 times  
18 the Foundation Level, general State aid for that district  
19 shall be calculated as an amount equal to the Foundation  
20 Level minus Available Local Resources, multiplied by the  
21 Average Daily Attendance of the school district.

22 (3) For any school district for which Available Local  
23 Resources per pupil is equal to or greater than the product  
24 of 0.93 times the Foundation Level and less than the product  
25 of 1.75 times the Foundation Level, the general State aid per  
26 pupil shall be a decimal proportion of the Foundation Level  
27 derived using a linear algorithm. Under this linear  
28 algorithm, the calculated general State aid per pupil shall  
29 decline in direct linear fashion from 0.07 times the  
30 Foundation Level for a school district with Available Local  
31 Resources equal to the product of 0.93 times the Foundation  
32 Level, to 0.05 times the Foundation Level for a school  
33 district with Available Local Resources equal to the product  
34 of 1.75 times the Foundation Level. The allocation of

1 general State aid for school districts subject to this  
2 paragraph 3 shall be the calculated general State aid per  
3 pupil figure multiplied by the Average Daily Attendance of  
4 the school district.

5 (4) For any school district for which Available Local  
6 Resources per pupil equals or exceeds the product of 1.75  
7 times the Foundation Level, the general State aid for the  
8 school district shall be calculated as the product of \$218  
9 multiplied by the Average Daily Attendance of the school  
10 district.

11 (5) The amount of general State aid allocated to a  
12 school district for the 1999-2000 school year meeting the  
13 requirements set forth in paragraph (4) of subsection (G)  
14 shall be increased by an amount equal to the general State  
15 aid that would have been received by the district for the  
16 1998-1999 school year by utilizing the Extension Limitation  
17 Equalized Assessed Valuation as calculated in paragraph (4)  
18 of subsection (G) less the general State aid allotted for the  
19 1998-1999 school year. This amount shall be deemed a one  
20 time increase, and shall not affect any future general State  
21 aid allocations.

22 (F) Compilation of Average Daily Attendance.

23 (1) Each school district shall, by July 1 of each year,  
24 submit to the State Board of Education, on forms prescribed  
25 by the State Board of Education, attendance figures for the  
26 school year that began in the preceding calendar year. The  
27 attendance information so transmitted shall identify the  
28 average daily attendance figures for each month of the school  
29 year, except that any days of attendance in August shall be  
30 added to the month of September and any days of attendance in  
31 June shall be added to the month of May.

32 Except as otherwise provided in this Section, days of  
33 attendance by pupils shall be counted only for sessions of  
34 not less than 5 clock hours of school work per day under

1 direct supervision of: (i) teachers, or (ii) non-teaching  
2 personnel or volunteer personnel when engaging in  
3 non-teaching duties and supervising in those instances  
4 specified in subsection (a) of Section 10-22.34 and paragraph  
5 10 of Section 34-18, with pupils of legal school age and in  
6 kindergarten and grades 1 through 12.

7 Days of attendance by tuition pupils shall be accredited  
8 only to the districts that pay the tuition to a recognized  
9 school.

10 (2) Days of attendance by pupils of less than 5 clock  
11 hours of school shall be subject to the following provisions  
12 in the compilation of Average Daily Attendance.

13 (a) Pupils regularly enrolled in a public school  
14 for only a part of the school day may be counted on the  
15 basis of 1/6 day for every class hour of instruction of  
16 40 minutes or more attended pursuant to such enrollment,  
17 unless a pupil is enrolled in a block-schedule format of  
18 80 minutes or more of instruction, in which case the  
19 pupil may be counted on the basis of the proportion of  
20 minutes of school work completed each day to the minimum  
21 number of minutes that school work is required to be held  
22 that day.

23 (b) Days of attendance may be less than 5 clock  
24 hours on the opening and closing of the school term, and  
25 upon the first day of pupil attendance, if preceded by a  
26 day or days utilized as an institute or teachers'  
27 workshop.

28 (c) A session of 4 or more clock hours may be  
29 counted as a day of attendance upon certification by the  
30 regional superintendent, and approved by the State  
31 Superintendent of Education to the extent that the  
32 district has been forced to use daily multiple sessions.

33 (d) A session of 3 or more clock hours may be  
34 counted as a day of attendance (1) when the remainder of

1 the school day or at least 2 hours in the evening of that  
2 day is utilized for an in-service training program for  
3 teachers, up to a maximum of 5 days per school year of  
4 which a maximum of 4 days of such 5 days may be used for  
5 parent-teacher conferences, provided a district conducts  
6 an in-service training program for teachers which has  
7 been approved by the State Superintendent of Education;  
8 or, in lieu of 4 such days, 2 full days may be used, in  
9 which event each such day may be counted as a day of  
10 attendance; and (2) when days in addition to those  
11 provided in item (1) are scheduled by a school pursuant  
12 to its school improvement plan adopted under Article 34  
13 or its revised or amended school improvement plan adopted  
14 under Article 2, provided that (i) such sessions of 3 or  
15 more clock hours are scheduled to occur at regular  
16 intervals, (ii) the remainder of the school days in which  
17 such sessions occur are utilized for in-service training  
18 programs or other staff development activities for  
19 teachers, and (iii) a sufficient number of minutes of  
20 school work under the direct supervision of teachers are  
21 added to the school days between such regularly scheduled  
22 sessions to accumulate not less than the number of  
23 minutes by which such sessions of 3 or more clock hours  
24 fall short of 5 clock hours. Any full days used for the  
25 purposes of this paragraph shall not be considered for  
26 computing average daily attendance. Days scheduled for  
27 in-service training programs, staff development  
28 activities, or parent-teacher conferences may be  
29 scheduled separately for different grade levels and  
30 different attendance centers of the district.

31 (e) A session of not less than one clock hour of  
32 teaching hospitalized or homebound pupils on-site or by  
33 telephone to the classroom may be counted as 1/2 day of  
34 attendance, however these pupils must receive 4 or more

1 clock hours of instruction to be counted for a full day  
2 of attendance.

3 (f) A session of at least 4 clock hours may be  
4 counted as a day of attendance for first grade pupils,  
5 and pupils in full day kindergartens, and a session of 2  
6 or more hours may be counted as 1/2 day of attendance by  
7 pupils in kindergartens which provide only 1/2 day of  
8 attendance.

9 (g) For children with disabilities who are below  
10 the age of 6 years and who cannot attend 2 or more clock  
11 hours because of their disability or immaturity, a  
12 session of not less than one clock hour may be counted as  
13 1/2 day of attendance; however for such children whose  
14 educational needs so require a session of 4 or more clock  
15 hours may be counted as a full day of attendance.

16 (h) A recognized kindergarten which provides for  
17 only 1/2 day of attendance by each pupil shall not have  
18 more than 1/2 day of attendance counted in any one day.  
19 However, kindergartens may count 2 1/2 days of attendance  
20 in any 5 consecutive school days. When a pupil attends  
21 such a kindergarten for 2 half days on any one school  
22 day, the pupil shall have the following day as a day  
23 absent from school, unless the school district obtains  
24 permission in writing from the State Superintendent of  
25 Education. Attendance at kindergartens which provide for  
26 a full day of attendance by each pupil shall be counted  
27 the same as attendance by first grade pupils. Only the  
28 first year of attendance in one kindergarten shall be  
29 counted, except in case of children who entered the  
30 kindergarten in their fifth year whose educational  
31 development requires a second year of kindergarten as  
32 determined under the rules and regulations of the State  
33 Board of Education.

34 (G) Equalized Assessed Valuation Data.

1           (1) For purposes of the calculation of Available Local  
2 Resources required pursuant to subsection (D), the State  
3 Board of Education shall secure from the Department of  
4 Revenue the value as equalized or assessed by the Department  
5 of Revenue of all taxable property of every school district,  
6 together with (i) the applicable tax rate used in extending  
7 taxes for the funds of the district as of September 30 of the  
8 previous year and (ii) the limiting rate for all school  
9 districts subject to property tax extension limitations as  
10 imposed under the Property Tax Extension Limitation Law.

11           This equalized assessed valuation, as adjusted further by  
12 the requirements of this subsection, shall be utilized in the  
13 calculation of Available Local Resources.

14           (2) The equalized assessed valuation in paragraph (1)  
15 shall be adjusted, as applicable, in the following manner:

16           (a) For the purposes of calculating State aid under  
17 this Section, with respect to any part of a school  
18 district within a redevelopment project area in respect  
19 to which a municipality has adopted tax increment  
20 allocation financing pursuant to the Tax Increment  
21 Allocation Redevelopment Act, Sections 11-74.4-1 through  
22 11-74.4-11 of the Illinois Municipal Code or the  
23 Industrial Jobs Recovery Law, Sections 11-74.6-1 through  
24 11-74.6-50 of the Illinois Municipal Code, no part of the  
25 current equalized assessed valuation of real property  
26 located in any such project area which is attributable to  
27 an increase above the total initial equalized assessed  
28 valuation of such property shall be used as part of the  
29 equalized assessed valuation of the district, until such  
30 time as all redevelopment project costs have been paid,  
31 as provided in Section 11-74.4-8 of the Tax Increment  
32 Allocation Redevelopment Act or in Section 11-74.6-35 of  
33 the Industrial Jobs Recovery Law. For the purpose of the  
34 equalized assessed valuation of the district, the total

1 initial equalized assessed valuation or the current  
2 equalized assessed valuation, whichever is lower, shall  
3 be used until such time as all redevelopment project  
4 costs have been paid.

5 (b) The real property equalized assessed valuation  
6 for a school district shall be adjusted by subtracting  
7 from the real property value as equalized or assessed by  
8 the Department of Revenue for the district an amount  
9 computed by dividing the amount of any abatement of taxes  
10 under Section 18-170 of the Property Tax Code by 3.00%  
11 for a district maintaining grades kindergarten through  
12 12, by 2.30% for a district maintaining grades  
13 kindergarten through 8, or by 1.05% for a district  
14 maintaining grades 9 through 12 and adjusted by an amount  
15 computed by dividing the amount of any abatement of taxes  
16 under subsection (a) of Section 18-165 of the Property  
17 Tax Code by the same percentage rates for district type  
18 as specified in this subparagraph (b).

19 (3) For the 1999-2000 school year and each school year  
20 thereafter, if a school district meets all of the criteria of  
21 this subsection (G)(3), the school district's Available Local  
22 Resources shall be calculated under subsection (D) using the  
23 district's Extension Limitation Equalized Assessed Valuation  
24 as calculated under this subsection (G)(3).

25 For purposes of this subsection (G)(3) the following  
26 terms shall have the following meanings:

27 "Budget Year": The school year for which general  
28 State aid is calculated and awarded under subsection (E).

29 "Base Tax Year": The property tax levy year used to  
30 calculate the Budget Year allocation of general State  
31 aid.

32 "Preceding Tax Year": The property tax levy year  
33 immediately preceding the Base Tax Year.

34 "Base Tax Year's Tax Extension": The product of the

1 equalized assessed valuation utilized by the County Clerk  
2 in the Base Tax Year multiplied by the limiting rate as  
3 calculated by the County Clerk and defined in the  
4 Property Tax Extension Limitation Law.

5 "Preceding Tax Year's Tax Extension": The product of  
6 the equalized assessed valuation utilized by the County  
7 Clerk in the Preceding Tax Year multiplied by the  
8 Operating Tax Rate as defined in subsection (A).

9 "Extension Limitation Ratio": A numerical ratio,  
10 certified by the County Clerk, in which the numerator is  
11 the Base Tax Year's Tax Extension and the denominator is  
12 the Preceding Tax Year's Tax Extension.

13 "Operating Tax Rate": The operating tax rate as  
14 defined in subsection (A).

15 If a school district is subject to property tax extension  
16 limitations as imposed under the Property Tax Extension  
17 Limitation Law, the State Board of Education shall calculate  
18 the Extension Limitation Equalized Assessed Valuation of that  
19 district. For the 1999-2000 school year, the Extension  
20 Limitation Equalized Assessed Valuation of a school district  
21 as calculated by the State Board of Education shall be equal  
22 to the product of the district's 1996 Equalized Assessed  
23 Valuation and the district's Extension Limitation Ratio. For  
24 the 2000-2001 school year and each school year thereafter,  
25 the Extension Limitation Equalized Assessed Valuation of a  
26 school district as calculated by the State Board of Education  
27 shall be equal to the product of the Equalized Assessed  
28 Valuation last used in the calculation of general State aid  
29 and the district's Extension Limitation Ratio. If the  
30 Extension Limitation Equalized Assessed Valuation of a school  
31 district as calculated under this subsection (G)(3) is less  
32 than the district's equalized assessed valuation as  
33 calculated pursuant to subsections (G)(1) and (G)(2), then  
34 for purposes of calculating the district's general State aid

1 for the Budget Year pursuant to subsection (E), that  
2 Extension Limitation Equalized Assessed Valuation shall be  
3 utilized to calculate the district's Available Local  
4 Resources under subsection (D).

5 (4) For the purposes of calculating general State aid  
6 for the 1999-2000 school year only, if a school district  
7 experienced a triennial reassessment on the equalized  
8 assessed valuation used in calculating its general State  
9 financial aid apportionment for the 1998-1999 school year,  
10 the State Board of Education shall calculate the Extension  
11 Limitation Equalized Assessed Valuation that would have been  
12 used to calculate the district's 1998-1999 general State aid.  
13 This amount shall equal the product of the equalized assessed  
14 valuation used to calculate general State aid for the  
15 1997-1998 school year and the district's Extension Limitation  
16 Ratio. If the Extension Limitation Equalized Assessed  
17 Valuation of the school district as calculated under this  
18 paragraph (4) is less than the district's equalized assessed  
19 valuation utilized in calculating the district's 1998-1999  
20 general State aid allocation, then for purposes of  
21 calculating the district's general State aid pursuant to  
22 paragraph (5) of subsection (E), that Extension Limitation  
23 Equalized Assessed Valuation shall be utilized to calculate  
24 the district's Available Local Resources.

25 (5) For school districts having a majority of their  
26 equalized assessed valuation in any county except Cook,  
27 DuPage, Kane, Lake, McHenry, or Will, if the amount of  
28 general State aid allocated to the school district for the  
29 1999-2000 school year under the provisions of subsection (E),  
30 (H), and (J) of this Section is less than the amount of  
31 general State aid allocated to the district for the 1998-1999  
32 school year under these subsections, then the general State  
33 aid of the district for the 1999-2000 school year only shall  
34 be increased by the difference between these amounts. The

1 total payments made under this paragraph (5) shall not exceed  
2 \$14,000,000. Claims shall be prorated if they exceed  
3 \$14,000,000.

4 (H) Supplemental General State Aid.

5 (1) In addition to the general State aid a school  
6 district is allotted pursuant to subsection (E), qualifying  
7 school districts shall receive a grant, paid in conjunction  
8 with a district's payments of general State aid, for  
9 supplemental general State aid based upon the concentration  
10 level of children from low-income households within the  
11 school district. Supplemental State aid grants provided for  
12 school districts under this subsection shall be appropriated  
13 for distribution to school districts as part of the same line  
14 item in which the general State financial aid of school  
15 districts is appropriated under this Section. For purposes of  
16 this subsection, the term "Low-Income Concentration Level"  
17 shall be the low-income eligible pupil count from the most  
18 recently available federal census divided by the Average  
19 Daily Attendance of the school district. If, however, (i) the  
20 percentage decrease from the 2 most recent federal censuses  
21 in the low-income eligible pupil count of a high school  
22 district with fewer than 400 students exceeds by 75% or more  
23 the percentage change in the total low-income eligible pupil  
24 count of contiguous elementary school districts, whose  
25 boundaries are coterminous with the high school district, or  
26 (ii) a high school district within 2 counties and serving 5  
27 elementary school districts, whose boundaries are coterminous  
28 with the high school district, has a percentage decrease from  
29 the 2 most recent federal censuses in the low-income eligible  
30 pupil count and there is a percentage increase in the total  
31 low-income eligible pupil count of a majority of the  
32 elementary school districts in excess of 50% from the 2 most  
33 recent federal censuses, then the high school district's  
34 low-income eligible pupil count from the earlier federal

1 census shall be the number used as the low-income eligible  
2 pupil count for the high school district, for purposes of  
3 this subsection (H). The changes made to this paragraph (1)  
4 by Public Act 92-28 ~~this-amendatory-Act-of-the-92nd-General~~  
5 ~~Assembly~~ shall apply to supplemental general State aid grants  
6 paid in fiscal year 1999 and in each fiscal year thereafter  
7 and to any State aid payments made in fiscal year 1994  
8 through fiscal year 1998 pursuant to subsection 1(n) of  
9 Section 18-8 of this Code (which was repealed on July 1,  
10 1998), and any high school district that is affected by  
11 Public Act 92-28 ~~this--amendatory--Act-of-the-92nd-General~~  
12 ~~Assembly~~ is entitled to a recomputation of its supplemental  
13 general State aid grant or State aid paid in any of those  
14 fiscal years. This recomputation shall not be affected by  
15 any other funding.

16 (2) Supplemental general State aid pursuant to this  
17 subsection (H) shall be provided as follows for the  
18 1998-1999, 1999-2000, and 2000-2001 school years only:

19 (a) For any school district with a Low Income  
20 Concentration Level of at least 20% and less than 35%,  
21 the grant for any school year shall be \$800 multiplied by  
22 the low income eligible pupil count.

23 (b) For any school district with a Low Income  
24 Concentration Level of at least 35% and less than 50%,  
25 the grant for the 1998-1999 school year shall be \$1,100  
26 multiplied by the low income eligible pupil count.

27 (c) For any school district with a Low Income  
28 Concentration Level of at least 50% and less than 60%,  
29 the grant for the 1998-99 school year shall be \$1,500  
30 multiplied by the low income eligible pupil count.

31 (d) For any school district with a Low Income  
32 Concentration Level of 60% or more, the grant for the  
33 1998-99 school year shall be \$1,900 multiplied by the low  
34 income eligible pupil count.

1           (e) For the 1999-2000 school year, the per pupil  
2 amount specified in subparagraphs (b), (c), and (d)  
3 immediately above shall be increased to \$1,243, \$1,600,  
4 and \$2,000, respectively.

5           (f) For the 2000-2001 school year, the per pupil  
6 amounts specified in subparagraphs (b), (c), and (d)  
7 immediately above shall be \$1,273, \$1,640, and \$2,050,  
8 respectively.

9           (2.5) Supplemental general State aid pursuant to this  
10 subsection (H) shall be provided as follows for the 2002-2003  
11 ~~2001-2002~~ school year and each school year thereafter:

12           (a) For any school district with a Low Income  
13 Concentration Level of less than 10%, the grant for each  
14 school year shall be \$355 multiplied by the low income  
15 eligible pupil count.

16           (b) For any school district with a Low Income  
17 Concentration Level of at least 10% and less than 20%,  
18 the grant for each school year shall be \$675 multiplied  
19 by the low income eligible pupil count.

20           (c) For any school district with a Low Income  
21 Concentration Level of at least 20% and less than 35%,  
22 the grant for each school year shall be \$1,330 ~~\$1,190~~  
23 multiplied by the low income eligible pupil count.

24           (d) For any school district with a Low Income  
25 Concentration Level of at least 35% and less than 50%,  
26 the grant for each school year shall be \$1,362 ~~\$1,333~~  
27 multiplied by the low income eligible pupil count.

28           (e) For any school district with a Low Income  
29 Concentration Level of at least 50% and less than 60%,  
30 the grant for each school year shall be \$1,680 multiplied  
31 by the low income eligible pupil count.

32           (f) For any school district with a Low Income  
33 Concentration Level of 60% or more, the grant for each  
34 school year shall be \$2,080 multiplied by the low income

1 eligible pupil count.

2 (3) School districts with an Average Daily Attendance of  
3 more than 1,000 and less than 50,000 that qualify for  
4 supplemental general State aid pursuant to this subsection  
5 shall submit a plan to the State Board of Education prior to  
6 October 30 of each year for the use of the funds resulting  
7 from this grant of supplemental general State aid for the  
8 improvement of instruction in which priority is given to  
9 meeting the education needs of disadvantaged children. Such  
10 plan shall be submitted in accordance with rules and  
11 regulations promulgated by the State Board of Education.

12 (4) School districts with an Average Daily Attendance of  
13 50,000 or more that qualify for supplemental general State  
14 aid pursuant to this subsection shall be required to  
15 distribute from funds available pursuant to this Section, no  
16 less than \$261,000,000 in accordance with the following  
17 requirements:

18 (a) The required amounts shall be distributed to  
19 the attendance centers within the district in proportion  
20 to the number of pupils enrolled at each attendance  
21 center who are eligible to receive free or reduced-price  
22 lunches or breakfasts under the federal Child Nutrition  
23 Act of 1966 and under the National School Lunch Act  
24 during the immediately preceding school year.

25 (b) The distribution of these portions of  
26 supplemental and general State aid among attendance  
27 centers according to these requirements shall not be  
28 compensated for or contravened by adjustments of the  
29 total of other funds appropriated to any attendance  
30 centers, and the Board of Education shall utilize funding  
31 from one or several sources in order to fully implement  
32 this provision annually prior to the opening of school.

33 (c) Each attendance center shall be provided by the  
34 school district a distribution of noncategorical funds

1 and other categorical funds to which an attendance center  
2 is entitled under law in order that the general State aid  
3 and supplemental general State aid provided by  
4 application of this subsection supplements rather than  
5 supplants the noncategorical funds and other categorical  
6 funds provided by the school district to the attendance  
7 centers.

8 (d) Any funds made available under this subsection  
9 that by reason of the provisions of this subsection are  
10 not required to be allocated and provided to attendance  
11 centers may be used and appropriated by the board of the  
12 district for any lawful school purpose.

13 (e) Funds received by an attendance center pursuant  
14 to this subsection shall be used by the attendance center  
15 at the discretion of the principal and local school  
16 council for programs to improve educational opportunities  
17 at qualifying schools through the following programs and  
18 services: early childhood education, reduced class size  
19 or improved adult to student classroom ratio, enrichment  
20 programs, remedial assistance, attendance improvement,  
21 and other educationally beneficial expenditures which  
22 supplement the regular and basic programs as determined  
23 by the State Board of Education. Funds provided shall not  
24 be expended for any political or lobbying purposes as  
25 defined by board rule.

26 (f) Each district subject to the provisions of this  
27 subdivision (H)(4) shall submit an acceptable plan to  
28 meet the educational needs of disadvantaged children, in  
29 compliance with the requirements of this paragraph, to  
30 the State Board of Education prior to July 15 of each  
31 year. This plan shall be consistent with the decisions of  
32 local school councils concerning the school expenditure  
33 plans developed in accordance with part 4 of Section  
34 34-2.3. The State Board shall approve or reject the plan

1           within 60 days after its submission. If the plan is  
2           rejected, the district shall give written notice of  
3           intent to modify the plan within 15 days of the  
4           notification of rejection and then submit a modified plan  
5           within 30 days after the date of the written notice of  
6           intent to modify. Districts may amend approved plans  
7           pursuant to rules promulgated by the State Board of  
8           Education.

9           Upon notification by the State Board of Education  
10          that the district has not submitted a plan prior to July  
11          15 or a modified plan within the time period specified  
12          herein, the State aid funds affected by that plan or  
13          modified plan shall be withheld by the State Board of  
14          Education until a plan or modified plan is submitted.

15          If the district fails to distribute State aid to  
16          attendance centers in accordance with an approved plan,  
17          the plan for the following year shall allocate funds, in  
18          addition to the funds otherwise required by this  
19          subsection, to those attendance centers which were  
20          underfunded during the previous year in amounts equal to  
21          such underfunding.

22          For purposes of determining compliance with this  
23          subsection in relation to the requirements of attendance  
24          center funding, each district subject to the provisions  
25          of this subsection shall submit as a separate document by  
26          December 1 of each year a report of expenditure data for  
27          the prior year in addition to any modification of its  
28          current plan. If it is determined that there has been a  
29          failure to comply with the expenditure provisions of this  
30          subsection regarding contravention or supplanting, the  
31          State Superintendent of Education shall, within 60 days  
32          of receipt of the report, notify the district and any  
33          affected local school council. The district shall within  
34          45 days of receipt of that notification inform the State

1 Superintendent of Education of the remedial or corrective  
2 action to be taken, whether by amendment of the current  
3 plan, if feasible, or by adjustment in the plan for the  
4 following year. Failure to provide the expenditure  
5 report or the notification of remedial or corrective  
6 action in a timely manner shall result in a withholding  
7 of the affected funds.

8 The State Board of Education shall promulgate rules  
9 and regulations to implement the provisions of this  
10 subsection. No funds shall be released under this  
11 subdivision (H)(4) to any district that has not submitted  
12 a plan that has been approved by the State Board of  
13 Education.

14 (I) General State Aid for Newly Configured School Districts.

15 (1) For a new school district formed by combining  
16 property included totally within 2 or more previously  
17 existing school districts, for its first year of existence  
18 the general State aid and supplemental general State aid  
19 calculated under this Section shall be computed for the new  
20 district and for the previously existing districts for which  
21 property is totally included within the new district. If the  
22 computation on the basis of the previously existing districts  
23 is greater, a supplementary payment equal to the difference  
24 shall be made for the first 4 years of existence of the new  
25 district.

26 (2) For a school district which annexes all of the  
27 territory of one or more entire other school districts, for  
28 the first year during which the change of boundaries  
29 attributable to such annexation becomes effective for all  
30 purposes as determined under Section 7-9 or 7A-8, the general  
31 State aid and supplemental general State aid calculated under  
32 this Section shall be computed for the annexing district as  
33 constituted after the annexation and for the annexing and  
34 each annexed district as constituted prior to the annexation;

1 and if the computation on the basis of the annexing and  
2 annexed districts as constituted prior to the annexation is  
3 greater, a supplementary payment equal to the difference  
4 shall be made for the first 4 years of existence of the  
5 annexing school district as constituted upon such annexation.

6 (3) For 2 or more school districts which annex all of  
7 the territory of one or more entire other school districts,  
8 and for 2 or more community unit districts which result upon  
9 the division (pursuant to petition under Section 11A-2) of  
10 one or more other unit school districts into 2 or more parts  
11 and which together include all of the parts into which such  
12 other unit school district or districts are so divided, for  
13 the first year during which the change of boundaries  
14 attributable to such annexation or division becomes effective  
15 for all purposes as determined under Section 7-9 or 11A-10,  
16 as the case may be, the general State aid and supplemental  
17 general State aid calculated under this Section shall be  
18 computed for each annexing or resulting district as  
19 constituted after the annexation or division and for each  
20 annexing and annexed district, or for each resulting and  
21 divided district, as constituted prior to the annexation or  
22 division; and if the aggregate of the general State aid and  
23 supplemental general State aid as so computed for the  
24 annexing or resulting districts as constituted after the  
25 annexation or division is less than the aggregate of the  
26 general State aid and supplemental general State aid as so  
27 computed for the annexing and annexed districts, or for the  
28 resulting and divided districts, as constituted prior to the  
29 annexation or division, then a supplementary payment equal to  
30 the difference shall be made and allocated between or among  
31 the annexing or resulting districts, as constituted upon such  
32 annexation or division, for the first 4 years of their  
33 existence. The total difference payment shall be allocated  
34 between or among the annexing or resulting districts in the

1 same ratio as the pupil enrollment from that portion of the  
2 annexed or divided district or districts which is annexed to  
3 or included in each such annexing or resulting district bears  
4 to the total pupil enrollment from the entire annexed or  
5 divided district or districts, as such pupil enrollment is  
6 determined for the school year last ending prior to the date  
7 when the change of boundaries attributable to the annexation  
8 or division becomes effective for all purposes. The amount  
9 of the total difference payment and the amount thereof to be  
10 allocated to the annexing or resulting districts shall be  
11 computed by the State Board of Education on the basis of  
12 pupil enrollment and other data which shall be certified to  
13 the State Board of Education, on forms which it shall provide  
14 for that purpose, by the regional superintendent of schools  
15 for each educational service region in which the annexing and  
16 annexed districts, or resulting and divided districts are  
17 located.

18 (3.5) Claims for financial assistance under this  
19 subsection (I) shall not be recomputed except as expressly  
20 provided under this Section.

21 (4) Any supplementary payment made under this subsection  
22 (I) shall be treated as separate from all other payments made  
23 pursuant to this Section.

24 (J) Supplementary Grants in Aid.

25 (1) Notwithstanding any other provisions of this  
26 Section, the amount of the aggregate general State aid in  
27 combination with supplemental general State aid under this  
28 Section for which each school district is eligible shall be  
29 no less than the amount of the aggregate general State aid  
30 entitlement that was received by the district under Section  
31 18-8 (exclusive of amounts received under subsections 5(p)  
32 and 5(p-5) of that Section) for the 1997-98 school year,  
33 pursuant to the provisions of that Section as it was then in  
34 effect. If a school district qualifies to receive a

1 supplementary payment made under this subsection (J), the  
2 amount of the aggregate general State aid in combination with  
3 supplemental general State aid under this Section which that  
4 district is eligible to receive for each school year shall be  
5 no less than the amount of the aggregate general State aid  
6 entitlement that was received by the district under Section  
7 18-8 (exclusive of amounts received under subsections 5(p)  
8 and 5(p-5) of that Section) for the 1997-1998 school year,  
9 pursuant to the provisions of that Section as it was then in  
10 effect.

11 (2) If, as provided in paragraph (1) of this subsection  
12 (J), a school district is to receive aggregate general State  
13 aid in combination with supplemental general State aid under  
14 this Section for the 1998-99 school year and any subsequent  
15 school year that in any such school year is less than the  
16 amount of the aggregate general State aid entitlement that  
17 the district received for the 1997-98 school year, the school  
18 district shall also receive, from a separate appropriation  
19 made for purposes of this subsection (J), a supplementary  
20 payment that is equal to the amount of the difference in the  
21 aggregate State aid figures as described in paragraph (1).

22 (3) (Blank).

23 (K) Grants to Laboratory and Alternative Schools.

24 In calculating the amount to be paid to the governing  
25 board of a public university that operates a laboratory  
26 school under this Section or to any alternative school that  
27 is operated by a regional superintendent of schools, the  
28 State Board of Education shall require by rule such reporting  
29 requirements as it deems necessary.

30 As used in this Section, "laboratory school" means a  
31 public school which is created and operated by a public  
32 university and approved by the State Board of Education. The  
33 governing board of a public university which receives funds  
34 from the State Board under this subsection (K) may not

1 increase the number of students enrolled in its laboratory  
2 school from a single district, if that district is already  
3 sending 50 or more students, except under a mutual agreement  
4 between the school board of a student's district of residence  
5 and the university which operates the laboratory school. A  
6 laboratory school may not have more than 1,000 students,  
7 excluding students with disabilities in a special education  
8 program.

9 As used in this Section, "alternative school" means a  
10 public school which is created and operated by a Regional  
11 Superintendent of Schools and approved by the State Board of  
12 Education. Such alternative schools may offer courses of  
13 instruction for which credit is given in regular school  
14 programs, courses to prepare students for the high school  
15 equivalency testing program or vocational and occupational  
16 training. A regional superintendent of schools may contract  
17 with a school district or a public community college district  
18 to operate an alternative school. An alternative school  
19 serving more than one educational service region may be  
20 established by the regional superintendents of schools of the  
21 affected educational service regions. An alternative school  
22 serving more than one educational service region may be  
23 operated under such terms as the regional superintendents of  
24 schools of those educational service regions may agree.

25 Each laboratory and alternative school shall file, on  
26 forms provided by the State Superintendent of Education, an  
27 annual State aid claim which states the Average Daily  
28 Attendance of the school's students by month. The best 3  
29 months' Average Daily Attendance shall be computed for each  
30 school. The general State aid entitlement shall be computed  
31 by multiplying the applicable Average Daily Attendance by the  
32 Foundation Level as determined under this Section.

33 (L) Payments, Additional Grants in Aid and Other  
34 Requirements.

1           (1) For a school district operating under the financial  
2 supervision of an Authority created under Article 34A, the  
3 general State aid otherwise payable to that district under  
4 this Section, but not the supplemental general State aid,  
5 shall be reduced by an amount equal to the budget for the  
6 operations of the Authority as certified by the Authority to  
7 the State Board of Education, and an amount equal to such  
8 reduction shall be paid to the Authority created for such  
9 district for its operating expenses in the manner provided in  
10 Section 18-11. The remainder of general State school aid for  
11 any such district shall be paid in accordance with Article  
12 34A when that Article provides for a disposition other than  
13 that provided by this Article.

14           (2) (Blank).

15           (3) Summer school. Summer school payments shall be made  
16 as provided in Section 18-4.3.

17           (M) Education Funding Advisory Board.

18           The Education Funding Advisory Board, hereinafter in this  
19 subsection (M) referred to as the "Board", is hereby created.  
20 The Board shall consist of 5 members who are appointed by the  
21 Governor, by and with the advice and consent of the Senate.  
22 The members appointed shall include representatives of  
23 education, business, and the general public. One of the  
24 members so appointed shall be designated by the Governor at  
25 the time the appointment is made as the chairperson of the  
26 Board. The initial members of the Board may be appointed any  
27 time after the effective date of this amendatory Act of 1997.  
28 The regular term of each member of the Board shall be for 4  
29 years from the third Monday of January of the year in which  
30 the term of the member's appointment is to commence, except  
31 that of the 5 initial members appointed to serve on the  
32 Board, the member who is appointed as the chairperson shall  
33 serve for a term that commences on the date of his or her  
34 appointment and expires on the third Monday of January, 2002,

1 and the remaining 4 members, by lots drawn at the first  
2 meeting of the Board that is held after all 5 members are  
3 appointed, shall determine 2 of their number to serve for  
4 terms that commence on the date of their respective  
5 appointments and expire on the third Monday of January, 2001,  
6 and 2 of their number to serve for terms that commence on the  
7 date of their respective appointments and expire on the third  
8 Monday of January, 2000. All members appointed to serve on  
9 the Board shall serve until their respective successors are  
10 appointed and confirmed. Vacancies shall be filled in the  
11 same manner as original appointments. If a vacancy in  
12 membership occurs at a time when the Senate is not in  
13 session, the Governor shall make a temporary appointment  
14 until the next meeting of the Senate, when he or she shall  
15 appoint, by and with the advice and consent of the Senate, a  
16 person to fill that membership for the unexpired term. If  
17 the Senate is not in session when the initial appointments  
18 are made, those appointments shall be made as in the case of  
19 vacancies.

20 The Education Funding Advisory Board shall be deemed  
21 established, and the initial members appointed by the  
22 Governor to serve as members of the Board shall take office,  
23 on the date that the Governor makes his or her appointment of  
24 the fifth initial member of the Board, whether those initial  
25 members are then serving pursuant to appointment and  
26 confirmation or pursuant to temporary appointments that are  
27 made by the Governor as in the case of vacancies.

28 The State Board of Education shall provide such staff  
29 assistance to the Education Funding Advisory Board as is  
30 reasonably required for the proper performance by the Board  
31 of its responsibilities.

32 For school years after the 2000-2001 school year, the  
33 Education Funding Advisory Board, in consultation with the  
34 State Board of Education, shall make recommendations as

1 provided in this subsection (M) to the General Assembly for  
 2 the foundation level under subdivision (B)(3) of this Section  
 3 and for the supplemental general State aid grant level under  
 4 subsection (H) of this Section for districts with high  
 5 concentrations of children from poverty. The recommended  
 6 foundation level shall be determined based on a methodology  
 7 which incorporates the basic education expenditures of  
 8 low-spending schools exhibiting high academic performance.  
 9 The Education Funding Advisory Board shall make such  
 10 recommendations to the General Assembly on January 1 of odd  
 11 numbered years, beginning January 1, 2001.

12 (N) (Blank).

13 (O) References.

14 (1) References in other laws to the various subdivisions  
 15 of Section 18-8 as that Section existed before its repeal and  
 16 replacement by this Section 18-8.05 shall be deemed to refer  
 17 to the corresponding provisions of this Section 18-8.05, to  
 18 the extent that those references remain applicable.

19 (2) References in other laws to State Chapter 1 funds  
 20 shall be deemed to refer to the supplemental general State  
 21 aid provided under subsection (H) of this Section.

22 (Source: P.A. 91-24, eff. 7-1-99; 91-93, eff. 7-9-99; 91-96,  
 23 eff. 7-9-99; 91-111, eff. 7-14-99; 91-357, eff. 7-29-99;  
 24 91-533, eff. 8-13-99; 92-7, eff. 6-29-01; 92-16, eff.  
 25 6-28-01; 92-28, eff. 7-1-01; 92-29, eff. 7-1-01; 92-269, eff.  
 26 8-7-01; revised 8-7-01.)

27 (105 ILCS 5/34-18.23 new)

28 Sec. 34-18.23. Transfer of students. The board shall  
 29 establish and implement a policy governing the transfer of a  
 30 student from one attendance center to another within the  
 31 school district upon the request of the student's parent or  
 32 guardian. Any request by a parent or guardian to transfer his

1 or her child from one attendance center to another within the  
 2 school district pursuant to Section 1116 of the federal  
 3 Elementary and Secondary Education Act of 1965 (20 U.S.C.  
 4 Sec. 6317) must be made no later than 30 days after the  
 5 parent or guardian receives notice of the right to transfer  
 6 pursuant to that law. A student may not transfer to any of  
 7 the following attendance centers, except by change in  
 8 residence if the policy authorizes enrollment based on  
 9 residence in an attendance area or unless approved by the  
 10 board on an individual basis:

11 (1) An attendance center that exceeds or as a  
 12 result of the transfer would exceed its attendance  
 13 capacity.

14 (2) An attendance center for which the board has  
 15 established academic criteria for enrollment if the  
 16 student does not meet the criteria, provided that the  
 17 transfer must be permitted if the attendance center is  
 18 the only attendance center serving the student's grade  
 19 that has not been identified for school improvement,  
 20 corrective action, or restructuring under Section 1116 of  
 21 the federal Elementary and Secondary Education Act of  
 22 1965 (20 U.S.C. Sec. 6317).

23 (3) Any attendance center if the transfer would  
 24 prevent the school district from meeting its obligations  
 25 under a State or federal law, court order, or consent  
 26 decree applicable to the school district.

27 Section 99. Effective date. This Act takes effect on  
 28 July 1, 2002.